

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANGUIANO JESUS, et al.,

Plaintiffs,

v.

No. CV 11-0591 JB/LAM

ERIC HOLDER, et al.,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED
PURSUANT TO 28 U.S.C. § 1915(b),
AND TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiffs' motions for leave to proceed pursuant to 28 U.S.C. § 1915. [*Docs. 4, 5 and 6*]. The filing fee for this civil rights complaint is \$350.00. Plaintiffs are required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Based on the information about Plaintiffs' financial status, the Court finds that Plaintiffs are able to pay an initial partial payment of **\$16.53** pursuant to § 1915(b)(1). The Court will not review the merits of the civil rights complaint until the initial partial payment is paid or excused. If Plaintiffs fail to make a payment by the designated deadline or show cause why such payments should be excused, the complaint **may be dismissed without prejudice without further notice.**

IT IS THEREFORE ORDERED that Plaintiffs' motions for leave to proceed pursuant to 28 U.S.C. § 1915 [*Docs. 4, 5 and 6*] are **GRANTED**;

IT IS FURTHER ORDERED that, **within thirty (30) days from entry of this order**, Plaintiffs will either: (1) send to the Clerk an initial partial payment of **\$16.53**, or (2) show cause why the payment should be excused;

IT IS FURTHER ORDERED that the Clerk of the Court is directed to provide Plaintiffs with copies of this order, and that Plaintiffs are directed to make the necessary arrangements to attach one copy of this order to the check in the amount of the initial partial payment;

IT IS FINALLY ORDERED that, after payment of the initial partial fee, Plaintiffs will be required to make monthly payments of twenty per cent (20%) of the preceding month's income credited to Plaintiffs' accounts or show cause why the designated payments should be excused. The Clerk of the Court is directed to provide Plaintiffs with copies of the post-filing financial certificate, and Plaintiffs must make the necessary arrangements to have the monthly payments identified by the civil action number on this order.

IT IS SO ORDERED.



THE HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE